



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

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## ORDER OF BUSINESS

REGULAR MEETING  
CITY COUNCIL CHAMBER  
6TH SESSION  
WEDNESDAY, APRIL 26, 2017  
10 A.M.

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3826 your name, phone number and subject matter;
- By filling out the registration form in person; or
- By calling 768-3814 or 768-3813.

Persons who have not registered to testify by 10 a.m. will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker shall not have anyone else read their statement and is limited to:

- three-minute presentation on Public Hearing, New Business and Sunshined items;
- one-minute presentation on all other items.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

**The Council will recess from 12:30 p.m. to 1:30 p.m.**

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3814 or 768-3813 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) or [vchung@honolulu.gov](mailto:vchung@honolulu.gov) at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on OIelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulucitycouncil.tv/>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.

Honorary Certificates will be presented at 9 a.m.

ORDER OF BUSINESS  
Wednesday, April 26, 2017

**PLEDGE OF ALLEGIANCE**

**MESSAGE OF ALOHA**

**1. CALL TO ORDER – 10 A.M.**

Roll Call

Introduction of Guests

Approval of Minutes of the 5th Session

ORDER OF BUSINESS  
Wednesday, April 26, 2017

**2. ORDER OF THE DAY**

**PUBLIC HEARING/RESOLUTIONS**

Resolution 17-81

(Parks, Community and  
Customer Services)

Relating to the appointment of Donald M. Takaki to serve on the Board of Parks and Recreation of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 17-102

(Executive Matters and Legal Affairs)

Relating to the appointment of Lynette Lo Kanda to serve on the Ethics Commission of the City and County of Honolulu.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

Resolution 17-103

(Zoning and Housing)

Relating to the appointment of Gladys A. Quinto Marrone to the Zoning Board of Appeals.

PUBLIC HEARING AND REFERRAL TO COMMITTEE

ORDER OF BUSINESS  
Wednesday, April 26, 2017

**APPOINTMENTS – RESOLUTIONS**

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-112

Resolution 17-78

Relating to the appointment of David B. Monk to serve on the Ethics Commission of the City and County of Honolulu.

ADOPTION

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CR-113

Resolution 17-80

Relating to the appointment of Duane R. Miyashiro to serve on the Liquor Commission of the City and County of Honolulu.

ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET

CR-127

Resolution 17-76

Relating to the appointment of Pamela A. Witty-Oakland to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu.

ADOPTION

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CR-128

Resolution 17-77

Relating to the appointment of Grant Kagimoto to serve on the Grants in Aid Advisory Commission of the City and County of Honolulu.

ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

ZONING AND HOUSING

CR-141

Resolution 17-64

Relating to the nomination of Sandra S. Pfund to serve as the Director of the Department of Land Management of the City and County of Honolulu.

ADOPTION

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TRANSPORTATION AND PLANNING

CR-146

Resolution 17-66

Relating to the nomination of Wes R. Frysztacki to serve as the Director of the Department of Transportation Services of the City and County of Honolulu.

ADOPTION

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**PUBLIC HEARING/RESOLUTION CONTINUED**

**BUDGET**  
**CR-155**

**Resolution 17-70, CD1**

Determining the Real Property Tax Rates for the City and County of Honolulu for the Fiscal Year July 1, 2017 to June 30, 2018.

**ADOPT COMMITTEE REPORT AND REFER THE  
RESOLUTION TO THE COMMITTEE ON BUDGET**

		Tax Rate Per \$1,000
<u>Class</u>		<u>Net Taxable Real Property</u>
(A)	Residential	\$ 3.50
(B)	Hotel and resort	13.40
(C)	Commercial	12.40
(D)	Industrial	12.40
(E)	Agricultural	5.70
(F)	Preservation	5.70
(G)	Public service	0.00
(H)	Vacant agricultural	8.50
(I)	Residential A	
	Tier 1:	4.50
	Tier 2:	9.00

The foregoing schedule of rates is for consideration at the public hearing. The final tax rates may be higher or lower than the rates reflected above.

Advance notice is given that the Council may adopt the Resolution fixing the real property rates for the Fiscal Year July 1, 2017 to June 30, 2018 at a meeting to be held on Wednesday, June 7, 2017, in the Council Chamber, Honolulu Hale.

ORDER OF BUSINESS  
Wednesday, April 26, 2017

**PUBLIC HEARING/SECOND READING**

BUDGET

CR-120

Bill 10, CD1

Relating to motor vehicle weight tax. (Increasing the motor vehicle weight tax.)

PASS SECOND READING, AS AMENDED

CR-121

Bill 12, CD1

Relating to parking meters. (Amending the Traffic Code of the City and County of Honolulu, as set forth in Chapter 15 of the Revised Ordinances of Honolulu 1990, to enable the City to adjust parking meter time limits and rates in accordance with supply and demand.)

PASS SECOND READING, AS AMENDED



ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-147

Bill 22, CD1

Relating to the public spay and neuter clinic for dogs and cats.  
(Amending the City's spay and neuter clinic and program.)

PASS SECOND READING, AS AMENDED

CR-148

Bill 24, CD1

Relating to the Legislative Budget for the Fiscal Year July 1,  
2017 to June 30, 2018.

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-149

Bill 25, CD1

Relating to the Executive Operating Budget and Program for the Fiscal Year July 1, 2017 to June 30, 2018.

PASS SECOND READING, AS AMENDED

CR-150

Bill 26, CD1

Relating to the Executive Capital Budget and Program for the Fiscal Year July 1, 2017 to June 30, 2018.

PASS SECOND READING, AS AMENDED

ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-151

Bill 27

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated in the Capital Budget Ordinance of said City and County for the Fiscal Year ending June 30, 2018, and specified in said ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the General Improvement Bond Fund, the Highway Improvement Bond Fund, Solid Waste Improvement Bond Fund, or the Housing Development Special Fund.

PASS SECOND READING

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CR-122

Bill 28

Relating to public transit. (Amending Chapter 13 of the Revised Ordinances of Honolulu 1990, to enable the City to amend the fare structure of TheBus and TheHandi-Van.)

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-123

Bill 30, CD1

Relating to erosion, sediment, and pollution control. (Establishing a regulatory framework for attaining compliance with permit requirements and creating a source of funding that is needed to offset the City's cost in implementing new requirements for erosion control and water quality protection.)

PASS SECOND READING, AS AMENDED

CR-152

Bill 32

Relating to the Honolulu Authority for Rapid Transportation Operating Budget for the Fiscal Year July 1, 2017 to June 30, 2018.

PASS SECOND READING

ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-153

Bill 33

Relating to the Honolulu Authority for Rapid Transportation Capital Budget for the Fiscal Year July 1, 2017 to June 30, 2018.

PASS SECOND READING

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CR-154

Bill 34

Authorizing the issuance and sale of General Obligation Bonds and Bond Anticipation Notes of the City and County of Honolulu in a maximum principal amount equal to the aggregate of the amounts appropriated for the Honolulu Authority for Rapid Transportation Capital Budget projects in the Honolulu Authority for Rapid Transportation Capital Budget and Program Ordinance for the Fiscal Year ending June 30, 2018, and specified in said ordinance to be financed from the proceeds of the sale of such bonds and to be expended from the Transit Improvement Bond Fund.

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-124

Bill 35

Relating to admission fees for the Honolulu Zoo. (Increasing admission fees for the Honolulu Zoo.)

PASS SECOND READING

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CR-125

Bill 36, CD1

Relating to fees for use of municipal golf courses. (Increasing golf fees.)

PASS SECOND READING, AS AMENDED

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

ZONING AND HOUSING

CR-135

Bill 47 (2016)

Relating to the Housing Code. (Amending the Housing Code, ROH Chapter 27, to further protect the health, safety, and welfare of the general public.)

PASS SECOND READING

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CR-138

Bill 14

Relating to transit-oriented development. [Providing a procedure for creating special districts around rail transit stations known as transit-oriented development (TOD) zones, and establishing regulations to foster development of livable communities that realize transit benefits.]

PASS SECOND READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-110

Bill 20, CD1

Relating to public sidewalks. (Expanding the commercial areas subject to the City's current restrictions on persons sitting or lying on public sidewalks in certain such areas.)

PASS SECOND READING, AS AMENDED

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**THIRD READING**

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-109

Bill 13, CD1

Relating to public sidewalks. (Amending the law relating to sitting or lying on public sidewalks in areas zoned for commercial and business activities to include certain sidewalks in Kalihi and Iwilei.)

PASS THIRD READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET

CR-119

Bill 78 (2015), CD1

Relating to sponsorships. (Establishing a process to obtain sponsorships for city facilities, parks, programs, equipment, and tangible property within set guidelines and procedures for the purpose of optimizing non-property tax revenue sources.)

PASS THIRD READING, AS AMENDED

ZONING AND HOUSING

CR-134

Bill 79 (2015), CD2

Amending Chapter 21, Revised Ordinances of Honolulu 1990, as amended (the Land Use Ordinance). (Making miscellaneous amendments to the Land Use Ordinance.) (Deadline: 6/9/17)

PASS THIRD READING, AS AMENDED

ORDER OF BUSINESS  
Wednesday, April 26, 2017

ZONING AND HOUSING (Cont'd.)

CR-136

Bill 4

To rezone land situated at Kaneohe, Oahu, Hawaii. (Rezoning land from the B-2 Community Business District, and R-7.5 Residential District to the B-1 Neighborhood Business District.) (Applicant: Ohana Pacific Management Company Offices) (Deadline: 7/3/17)

PASS THIRD READING

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CR-137

Bill 5

To rezone land situated at Moanalua, Oahu, Hawaii. (Rezoning land from the F-1 Military and Federal Preservation District to the R-5 Residential District.) (Applicant: Island Family Christian Church) (Deadline: 7/3/17)

PASS THIRD READING

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(Note: Prior to passage on third reading. Unilateral Agreement to be recorded.)

ORDER OF BUSINESS  
Wednesday, April 26, 2017

TRANSPORTATION AND PLANNING

CR-144

Bill 3 (2016)

Relating to the Building Code. [Amending Chapter 16 (“Building Code”) of the Revised Ordinances of Honolulu 1990, with respect to construction barriers.]

PASS THIRD READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

**FIRST READING**

Bill 39

(Budget)

Relating to real property taxation. (Excluding certain properties from the Residential A" real property tax classification.)

PASS FIRST READING

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Bill 40

(Parks, Community and Customer Services)

Relating to trees. (Creating an adopt-a-tree program to be administered by the Department of Parks and Recreation.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Bill 41

(Budget)

Relating to real property taxation. (Amending certain ordinances pertaining to the Residential A tax classification.)

PASS FIRST READING

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Bill 42

(Appropriate committee)

Relating to funding for transit. (Allowing for greater flexibility in the sources of monies to be used for the capital cost of the Honolulu Rail Transit Project.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Bill 43 (Public Works, Infrastructure and Sustainability)

Relating to the maintenance of channels, streambeds, streambanks and drainageways. (Amending the conditions a private stream owner is held to maintain, dredge and clear such stream.)

PASS FIRST READING

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Bill 44 (Transportation and Planning)

Relating to parades and activities. (Requiring the provision of notice to certain residents and businesses of parades and certain other activities for which public streets may be closed to vehicular traffic.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Bill 45

(Budget)

Relating to the transportation surcharge. (Amending the ordinances pertaining to the County surcharge on general excise and use taxes.)

PASS FIRST READING

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Bill 46

(Budget)

Relating to fees for use of municipal golf courses. (Amending the fees for the use of the City's golf courses.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Bill 47

(Zoning and Housing)

Relating to incentives for accessory dwelling units production.  
(Extending the repeal date of Section 2, Section 3, and  
Section 5 of Ordinance 16-19 and the period of time that the  
incentives will remain in effect.)

PASS FIRST READING

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

**RESOLUTIONS**

EXECUTIVE MATTERS AND LEGAL AFFAIRS

CR-111

Resolution 17-50, CD1

Expressing the Council of the City and County of Honolulu's steadfast commitment to uphold Honolulu as a Haven of Aloha.

FOR ADOPTION

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CR-114

Resolution 17-87

Relating to appointments and nominations for the Hawaii State Association of Counties.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-115

Resolution 17-99

To request additional funds for Contract No. SC-COR-1700021 to continue the services of Kobayashi, Sugita, & Goda LLP as Special Counsel for the City and County of Honolulu to represent Defendant Letha A.S. DeCaires in a legal action entitled, Kealoha, et al. v. Totto, et al., Civil No. 16-1-1166-6 GWBC.

FOR ADOPTION

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CR-116

Resolution 17-100

To request additional funds for Contract No. SC-COR-1700022 to continue the services of Chong, Nishimoto, Sia, Nakamura, & Goya LLP as Special Counsel for the City and County of Honolulu to represent Defendants Honolulu Ethics Commission and the City and County of Honolulu in a legal action entitled, Kealoha, et al. v. Totto, et al., Civil No. 16-1-1166-6 GWBC.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

EXECUTIVE MATTERS AND LEGAL AFFAIRS (Cont'd.)

CR-117

Resolution 17-101

To request additional funds for Contract No. SC-COR-1700023 to continue the services of Cox Fricke, LLP as Special Counsel for the City and County of Honolulu to represent Defendant Charles W. Tutto in a legal action entitled, Kealoha, et al. v. Tutto, et al., Civil No. 16-1-1166-6 GWBC.

FOR ADOPTION

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BUDGET

CR-132

Resolution 17-90

Accepting a gift to the City and County of Honolulu from the Association of Government Accountants to attend the professional development training in Boston, Massachusetts.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-126

Resolution 17-71, CD1

Accepting the report and resolution from the 2017 Grants in Aid Advisory Commission.

FOR ADOPTION

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CR-129

Resolution 17-82

Relating to transfer of funds. (Department of Parks and Recreation)

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

BUDGET (Cont'd.)

CR-130

Resolution 17-83

Relating to transfer of funds. (Department of Parks and Recreation)

FOR ADOPTION

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CR-131

Resolution 17-86

Authorizing the Mayor, the Director of the Department of Community Services, or the Director's Designee to accept and expend funds from the State of Hawaii, Department of Human Services, Office of Youth Services (OYS), to continue funding of the Juvenile Justice Center (JJC).

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

PUBLIC WORKS, INFRASTRUCTURE & SUSTAINABILITY

CR-133

Resolution 17-67, CD1

Requesting the City Administration to report to the Council on its establishment of the Office of Climate Change, Sustainability, and Resiliency, its projected timetable for actions associated with Phase I projects, the development of Honolulu's resilience strategy, and any other City actions as part of the 100 Resilient Cities Network.

FOR ADOPTION

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ZONING AND HOUSING

CR-140

Resolution 17-60, CD1

Granting a Special Management Area Use Permit and Shoreline Setback Variance for the redevelopment of the Outrigger Reef Waikiki Beach Resort. (Applicant: Outrigger Hotels Hawaii) (Deadline: 8/23/17)

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

ZONING AND HOUSING (Cont'd.)

CR-143

Resolution 17-92

Amending Resolution 15-89, CD1, to extend the deadline for commencement of construction of the Ohana Hale Affordable Housing Project at McCully, Honolulu, Oahu, Hawaii, Tax Map Key 2-3-028: 004.

FOR ADOPTION

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TRANSPORTATION AND PLANNING

CR-145

Resolution 16-308, CD1

Establishing a policy for planned development projects in transit oriented development areas; and proposing an amendment to Chapter 21, Revised Ordinances of Honolulu 1990 (the "Land Use Ordinance"), relating to planned development projects in transit oriented development areas.

FOR ADOPTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

**3. BALANCE OF COMMITTEE REPORTS**

EMLACR-118

To request authorization to settle a claim made by Hawaiian Telcom, Inc. against the City and County of Honolulu.

ZHCR-139

Bill 15 – Amending The Land Use Ordinance, relating to Interim Planned Development permits for Transit-Oriented Development within close proximity to future rail stations. Granting a 120-day extension of time. (Deadline: 5/1/17 + 120 days)

FOR ADOPTION

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**4. UNFINISHED BUSINESS**

**5. NEW BUSINESS**

Resolution 17-104

Authorizing the Mayor or the Mayor's designated representative to accept and expend funds from the Hawaii Tourism Authority, State of Hawaii for the State's Community Enrichment Program.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Resolution 17-111

Accepting a gift to the City for travel-related expenses to visit Incheon, Republic of Korea, from May 14 to May 19, 2017.

FOR ACTION

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Resolution 17-115

Approving an amendment to the City and County of Honolulu's Twenty-Second (22<sup>nd</sup>) Year Action Plan for Community Development Block Grant, HOME Investment Partnerships, Emergency Solutions Grants and Housing Opportunities for Persons with AIDS program funds, and authorizing its submittal to the U.S. Department of Housing and Urban Development (HUD).

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

Resolution 17-116

Relating to reprogramming of the City's Twenty-Second (22<sup>nd</sup>) Year Community Development Block Grant (CDBG) funds and receipt and expenditure of HOME Investment Partnerships (HOME) funds in excess of the total amount appropriated.

FOR ACTION

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ORDER OF BUSINESS  
Wednesday, April 26, 2017

**6. COMMITTEE OF THE WHOLE/EXECUTIVE SESSION**

Pursuant to Council Rule 12A and the Hawaii Revised Statutes Section 92-4 and Section 92-5(a)(4), the Council will resolve itself into a Committee of the Whole to consult with its attorneys in executive session on questions and issues on matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities, and may resolve itself into a Committee of the Whole to consult with its attorneys on other claims and matters pertaining to the Council's powers, duties, privileges, immunities and/or liabilities.

**7. ANNOUNCEMENTS**

**8. ADJOURNMENT**